REMARKS:

This paper is herewith filed in response to the Examiner's final Office Action mailed on November 15, 2007 for the above-captioned U.S. Patent Application. This office action is a final rejection of claims 1-9, 11, 21, and 23-28 of the application.

More specifically, the Examiner has rejected claims 1, 2, 4, 5, 9, 12, 13, 14, 16, 17, 21, 24 and 26 under 35 USC 102(b) as being anticipated by Tatchell (US 6,160,877); rejected claims 3, 6-8, 11, 15, 18-20, 23, 25, 27 and 28 under 35 USC 103(a) as being unpatentable over Tatchell in view of Hodges (US 6,707,901); and rejected claims 11 and 23 under 35 USC 103(a) as being unpatentable over Tatchell in view of Baniak (US 2007/0047714). These rejections are respectfully disagreed with, and are traversed below.

Claims 1, 13, 24, and 26 have been amended for clarification. Support for the amendments can be found at least on page 10, lines 7-24. No new matter is added.

Firstly, the Applicants note that claim 1 has been amended to recite:

> "A telephone system for connecting callers and users, comprising: an interface configured to enable a user to define at least one filter for filtering incoming calls and taking user-definable responses on incoming calls that satisfy the requirements of said at least one filter, in which: the user specifies a profile; the user has the option of modifying parameters of the specified profile, including specifying at least one filter in the profile and specifying user-specifiable parameters thereof, the telephone system includes a function to guide the user through a setup sequence; and the telephone system includes another function to apply the user-specified profile and to automatically modify the user-specified profile of the user in response to a network determined cell location of a mobile handset associated with the user."

In the Response to Arguments section of the Office action the Examiner states:

> "Applicant's main argument is directed to the limitation of "automatically modifying the profile based upon a location of the user". The claimed limitation

is previously addressed by the Examiner in the previous office action. The Examiner relied on several portions cited from the reference. For Example, col. 20, lines 21-27 specifically disclose that the subscriber profile which reads on the subscriber's location in the reference can be changed (modified) based on the subscriber's current location. Tatchell teaches that "call forward" option that forward calls to the subscriber's new location can be automatically. **Thus, it is clearly understood that Tatchell' subscriber's profile (i.e., forward calls to new numbers) can be modified automatically based on the subscriber new location.** The Examiner believes that this is similar to "automatically modifying the profile based upon location of the user"," (emphasis added).

Tatchell discloses:

"The Personal Agent subscriber table 50 is used to determine whether a **subscriber going off hook at one of a number of predetermined locations is a Personal Agent subscriber. As indicated previously, this is done in accordance with the network address of the telephone line used by the subscriber. The table could provide an indication of the location of the line's network address** as well as the level of service provided to the subscriber," (emphasis added), (col. 12, lines 48-56).

As disclosed above it can be seen that in Tatchell the location of a subscriber is determined by the telephone line network address of the line used by the subscriber going off hook in one of a number of **predetermined locations.**

Further, referring to Figure 1 Tatchell discloses:

"If the subscriber is located at a location **where the station address is not known to the subscriber's Personal Agent, a predetermined access telephone number (such as a toll free number) would be provided to enable the subscriber to call the Personal Agent from anywhere,**" (emphasis added), (col. 7, lines 4-9); and

"**Each of the line circuits 14 has an associated network address and telephone station. The service provider maintains in database 19 a profile of each subscriber.** This profile provides the telephone switching center with information regarding calling line identification, line circuit codes, class of services provided to the subscriber, etc," (col. 8, lines 17-23).

Firstly, the Applicants note that Tatchell appears to disclose merely that the Personal Agent subscriber table and the network addresses of the telephone lines at one of a number of predetermined locations are used to provide information to the Personal Agent. In addition, Tatchell discloses that where the station address is not known to the Personal Agent a predetermined access telephone number is provided. The Applicants contend that Tatchell does not disclose or suggest automatically modifying the user-specified profile of the user in response to a network determined cell location of a mobile handset associated with a user as in claim 1.

Further, as cited by the Examiner Tatchell discloses:

> "Yet another call management feature is the "call forward" option. The call forward option allows the subscriber to direct incoming calls to their current location. **In order to permit this, the subscriber informs the agent as to their current whereabouts. This may automatically be done each time the subscriber contacts the Personal Agent from any location,**" (emphasis added), (col. 20, lines 21-27).

The Applicant notes that as stated above Tatchell appears to rely on a network address of the phone line at a predetermined location that a subscriber has gone off hook from in order "automatically" determine their current whereabouts. Further, in the case that the location where the subscriber calls from is not a predetermined location the subscriber appears to be required to call a predetermined access phone number to reach the Personal Agent in Tatchell in order for the Subscriber to **inform** the Personal Agent of their location. The Applicants submit that claim 1 relates to a method where a user has a mobile handset and where the network determines the cell location of the handset (no matter where a call originates from). Clearly, Tatchell does not relate to a method for modifying a user-specified profile of the user in response to a network determined cell location of mobile handset associated with a user, as in claim 1.

Thus, for at least the reasons stated the rejection of claim 1 should be removed.

In regards to the references Hodges and Baniak the Applicants contend that these references can not be seen to address a shortfall of Tatchell as stated above.

As cited, Hodges relates to a method such that if a mobile subscriber who is a called party is in a different time zone than a calling party, the calling party is made aware of the difference. In Hodges the call from the calling party is routed such that there is performed request/reply messages on behalf of the calling party for information of the called party's time zone. In Hodges the reply information is **appended** to the calling parties' profile. Hodges further discloses that a determination is made as to an appropriate response to the calling party based on the calling party's appended profile. In Hodges an appropriate response can involve playing an announcement for the calling party indicating the different time zone of the called party, (col. 9, line 48 to col. 10, line 19).

Further, as cited Hodges discloses:

> "Service Control Function 526 forwards an Information Transfer Application Protocol (e.g. TCAP) message containing a query to Called Party Profile 524 to determine the time zone of called party 525. (This information is available in relation to the roaming information stored as part of the Called party profile 524 when called party 525 is roaming.)," (col. 9, lines 57-64); and

> "Upon receipt of the message, Service Control Function 526 appends this information to the subscriber profile of calling party 515," (col. 10, lines 6-8).

The Applicants submit that here Hodges appears to disclose merely that the roaming information of the called party is stored in a roaming database and that information in relation to the roaming information is sent back to the calling party in response to the TCAP query. Further, Hodges discloses that the information is appended to the profile of the calling party.

The Applicants submit that in Hodges the calling party's profile is appended with the time zone information of the called party. The Applicants contend that Hodges at least can not be seen to disclose or suggest automatically modifying a user-specified profile <u>of a user</u> in response to a network determined cell location <u>of the user</u> as in claim 1.

Further, the Applicants note that Baniak relates to a profile management system having a user

interface, such as a personal computer interface, for accessing and maintaining profile data of a user's subscribed telephony service, (par. [0066]). The Applicants contend that Baniak clearly does not disclose or suggest **automatically modifying a user-specified profile of the user in response to a network determined cell location of a mobile handset associated with the user** as in claim 1.

For at least the reasons stated the Applicants contend that even if the references were combined, which is not agreed is feasible or suggested, the combination would still fail to disclose or suggest the claims.

In addition, the Applicants submit that although the Applicants have not argued all the rejections as presented in the Office Action, the Applicants do not acquiesce to these rejections.

Further, it is noted that independent claims 13, 24, and 26 have been similarly amended for clarification as in claim 1.
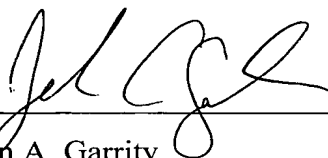
Therefore, for at least the reasons stated Tatchell can not be seen to disclose or suggest all claims 1, 13, 24, and 26. Therefore, the rejection of all claims 1, 13, 24, and 26 should be removed.

Further, in that claims 2-9 and 11-12, claims 14-21 and 23, claim 25, and claims 27-28 depend from claims 1, 13, 24, and 26, respectively, the rejection of these claims should also be removed and all claims 1-9, 11-21, and 23-28 should be allowed.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Should any unresolved issue remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted:

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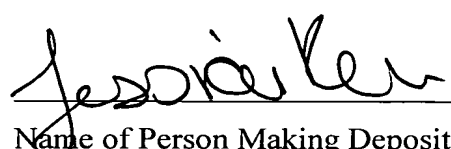
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

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